

ORDINANCE NO 14-31

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY, ANNEXING
5.1 ACRES OF LAND ADJACENT TO THE CITY LIMITS- KEN RUHL
PROPERTIES, LLC**

WHEREAS, the territory to be annexed, approximately 5.1+/- acres of land located at 768 Eastern Bypass, Richmond, Kentucky, is contiguous to the City of Richmond and of urban character, and

WHEREAS, on May 8, 2013, the Richmond City Board of Commissioners enacted Ordinance 13-13, declaring the desirability of the annexation of the property and the City of Richmond's intent to annex this land described below as per annexation procedures established by Ordinance No. 96-17, adopted February 20, 1996, and

WHEREAS, the City of Richmond, pursuant to KRS 81A.420, waited sixty (60) days from the enactment of Ordinance 13-13 and did receive a valid petition to place the question of annexation upon a ballot, and

WHEREAS, the intent to annex was placed on the 2014 Primary Election ballot for the D105 South Richmond Precinct and as a result of no votes cast it did not pass, and

WHEREAS, the City of Richmond has not otherwise been challenged in a court of law in proceeding with annexing the below described territory, and

WHEREAS, on September 25, 2014 the Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 for its recommendation as to zone classifications and any zoning map amendments.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Richmond that:

SECTION I

1. The following described property is hereby annexed into City Boundaries:

A certain tract of land situated on the south side of Boggs Lane, near the city limits line of Richmond, Kentucky, in Madison County, Kentucky, bounded and described as follows:

[See Exhibit A for description]

Being the same property as was conveyed to Ken Ruhl Properties, LLC by deed from Richmond Ford-Lincoln Mercury, Inc, and recorded in Deed Book 515, at page 147, in the Madison County Court Clerk's Office.

SECTION II

The Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS100.209 on September 25, 2014 and recommended the zoning classification of subject property be **B-3 Highway Business**. The property shall be so zoned in accordance with that recommendation.

SECTION III

The City Clerk shall cause this Ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

Date of First Reading: November 25, 2014

Motion By: Commissioner Baird

Seconded By: Commissioner Blythe

Date of Second Reading: December 9, 2014

Motion By: Commissioner Blythe

Seconded By: Commissioner Newby

Vote:	Yes	No
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner King		x
Commissioner Newby	x	
Mayor Barnes	x	



Mayor

Attest:



City Clerk

CITY OF RICHMOND

MAYOR
Jim Barnes

MAYOR PRO-TEM
Robert Blythe

CITY MANAGER
James H. Howard

P.O. Box 250 – 239 W. Main St.
Richmond, KY 40476
www.richmond.ky.us

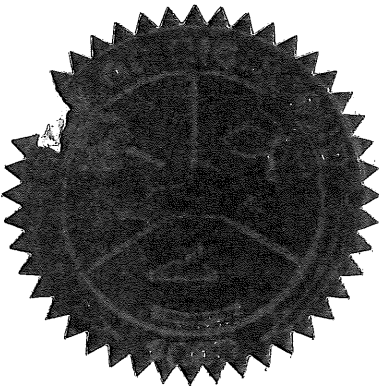
COMMISSIONERS
Donna Baird
Robert Blythe
Laura King
Jim Newby

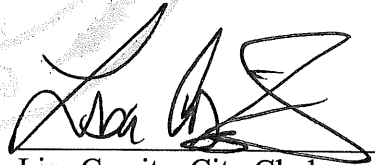
LEGAL COUNSEL
Garrett T. Fowles

CERTIFICATE OF CITY CLERK

I, Lisa Cassity, hereby certify that I am duly qualified and acting City Clerk of the City of Richmond, Kentucky, and that **Ordinance 14-31** is a true and correct copy of this ordinance and was approved and adopted **December 9, 2014** at a duly held City Commission meeting in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820 and 61.825, that a quorum was present for this meeting and that said ordinance has not been modified, amended, revoked, or repealed and that same is now in full force and effect.

IN TESTIMONY WHEREOF, witness my signature as City Clerk and the official Seal of said City this the December 9, 2014.




Lisa Cassity, City Clerk

**LEGAL DESCRIPTION
MADISON COUNTY FORD DEALERSHIP
KEN RUHL PROPERTIES, LLC.
768 EASTERN BYPASS
5.10 ACRES +/-**

NOTE: Unless stated otherwise, any monument referred to herein as a "set iron pin and cap" is a set 1/2" diameter, 18" in length iron pin with a yellow plastic cap stamped "ABACUS LPLS 3265". Any monument referred to as a "set pk nail and washer" is a set pk nail, 1-1/2" in length, 1/4" in diameter with brass washer stamped "ABACUS LPLS #3265." The basis of bearings was GPS North, observed the date of survey.

A certain tract of land, located on the South side of the ECU Bypass (Hwy 876) and on the West side of Boggs Lane, in Richmond, Madison County, Kentucky and being bound by survey performed by Abacus Engineering and Land Surveying, dated June 12th, 2014 under Professional Land Surveyor Dwayne Wheatley, License #3265, and more particularly described as follows:

Beginning at a found 1/2" iron pin with yellow cap stamped "LS 670" at the Northwest corner of the property and being at the CSX Railroad right of way and the ECU Bypass right of way; thence leaving said railroad with ECU Bypass right of way the following 7 calls:

N 74°10'24" E 20.00' to a found 1/2" iron pin with yellow cap stamped "LS 670"; thence

N 09°02'32" W 22.61' to a found pk nail and washer; thence

S 86°42'58" E 115.37' to a found pk nail and washer; thence

N 88°28'22" E 154.12' to a found pk nail and washer; thence

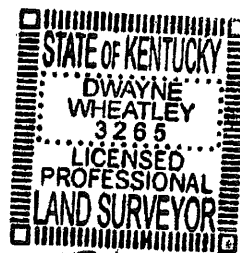
N 85°28'10" E 153.86' to a set pk nail and washer; thence

N 83°11'17" E 133.77' to a set pk nail and washer; thence

S 63°05'50" E 28.60' to a set pk nail and washer at the intersection of the right of ways for the ECU Bypass and Boggs Lane; thence with the right of way of Boggs lane the following 4 calls:

S 03°18'07" W 37.45' to a set pk nail and washer; thence S 22°32'56" W 200.00' to a set pk nail and washer; thence S 30°08'37" W 151.33' to a found 1/2" iron pin with yellow cap stamped "LS 670"; thence;

S 20°46'00" W 222.45' to a point and corner to Riley Properties Limited Partnership property (DB 493 PG 481) witnessed by a found 1/2" iron pin with yellow cap stamped "Abacus LPLS #3265" bearing S 76°13'45" E 20.00' from said point; thence with Riley Properties N 76°13'21" W 242.63' to a found 1/2" iron pin with yellow cap stamped "LS 670" at the CSX Railroad right of way; thence with the right of way N 15°22'36" W 480.00' to the point of beginning, containing 5.10 acres +/-.



12/17/14
Dwayne Wheatley

OVERSIZE MAP &
ADDITIONAL DOCUMENTS
INCLUDED WITH SUBMISSION.

To research the filing, contact the
Office of Secretary of State.